

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

Bail Appl..No. 7141 of 2007()

CRIME NO. 886/07 OF KALAMASSERY POLICE STATION
.....

PETITIONER/ACCUSED NO.4

RAGHU, S/O BALAN, AGED 24,
PALLIPARAMBIL HOUSE, TOG ROAD,
KALAMASSERY, ERNAKULAM.

BY ADV. SRI.R.MURALEEKRISHNAN
SRI.P.M.MUJEEB REHIMAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 7141 of 2007

Dated this the 21st day of November, 2007

ORDER

Application for anticipatory bail. The petitioner is the 4th accused. He faces allegations for offences punishable under Sections 452 and 323 I.P.C. Another co-accused had approached this court for anticipatory bail. As per order in B.A. 6980 of 2007 the said application was dismissed. I have adverted to facts in detail in the said order. This order is to be read in continuation of the said order. I am hence not adverting to facts in any greater detail.

2. I am satisfied in the facts and circumstances of this case that this petition can also be dismissed with identical observations. I am unable to find any features in this case, which would justify the invocation of the extra ordinary equitable discretion under section 438 Cr.P.C. in favour of the petitioner.

5. This application is accordingly dismissed with the observation that if the petitioner appears before the learned

Magistrate and applies for bail after giving sufficient prior notice to the Prosecutor in charge of the case, the learned Magistrate must proceed to pass orders on merits, in accordance with law and expeditiously.

(R. BASANT)
Judge

tm